

## Public Law 740

## CHAPTER 1158

## AN ACT

August 31, 1954  
[H. R. 9729]

To revise, codify, and enact into law, title 13 of the United States Code, entitled "Census".

Title 13, U. S.  
Code.  
Codification and  
enactment into law.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 13 of the United States Code, entitled "Census", is revised, codified, and enacted into law, and may be cited as "Title 13, United States Code, section—", as follows:

**TITLE 13—CENSUS**

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**SUBCHAPTER I—GENERAL PROVISIONS****§ 1. Definitions**

As used in this title, unless the context requires another meaning, or unless it is otherwise provided—

"Bureau" means the Bureau of the Census;

"Secretary" means the Secretary of Commerce.

**§ 2. Bureau of the Census**

The Bureau is continued as an agency within, and under the jurisdiction of, the Department of Commerce.

**§ 3. Seal**

The Bureau shall have a seal containing such device as has been selected heretofore, or as the Secretary may select hereafter. A description of such seal with an impression thereof shall be filed in the office of the Secretary of State. The seal shall remain in the custody of the Secretary or such officer or employee of the Bureau as he designates, and shall be affixed to all certificates and attestations that may be required from the Bureau.

**§ 4. Functions of Secretary; delegation**

The Secretary shall perform the functions and duties imposed upon him by this title or he may delegate any of them to such officers, employees, bureaus or agencies of the Department of Commerce as he designates.

**§ 5. Schedules; number, form, and scope of inquiries**

The Secretary shall prepare schedules, and shall determine the inquiries, and the number, form, and subdivisions thereof, for the statistics, surveys, and censuses provided for in this title.

**§ 6. Requests to other departments and offices for information**

The Secretary, whenever he deems it advisable, may call upon any other department or office of the Government for information pertinent to the work provided for in this title.

**§ 7. Printing; requisitions upon Public Printer; publication of bulletins and reports**

The Secretary may make requisition upon the Public Printer for miscellaneous printing necessary to carry out the provisions of this title. He may further have printed by the Public Printer, in such editions as he deems necessary, preliminary and other census bulletins, and final reports of the results of the several investigations authorized by this title, and may publish and distribute such bulletins and reports.

**§ 8. Certified copies of certain returns; other data; restriction on use; disposition of fees received**

(a) The Secretary may, upon a written request, and in his discretion, furnish to Governors of States and Territories, courts of record, and individuals, data for genealogical and other proper purposes, from the population, agriculture, and housing schedules prepared under the authority of subchapter II of chapter 5, upon the payment of the actual, or estimated cost of searching the records and \$1 for supplying a certificate.

(b) The Secretary may furnish transcripts or copies of tables and other census records and make special statistical compilations and surveys for State or local officials, private concerns, or individuals upon the payment of the actual, or estimated cost of such work.

(c) In no case shall information furnished under the authority of this section be used to the detriment of the persons to whom such information relates.

(d) All moneys received by the Department of Commerce or any bureau or agency thereof in payment for furnishing transcripts of census records or making special statistical compilations and surveys shall be deposited to the credit of an appropriation for collecting statistics.

**§ 9. Information as confidential; exception**

(a) Neither the Secretary, nor any other officer or employee of the Department of Commerce or bureau or agency thereof, may, except as provided in section 8 of this title—

(1) use the information furnished under the provisions of this title for any purpose other than the statistical purposes for which it is supplied; or

(2) make any publication whereby the data furnished by any particular establishment or individual under this title can be identified; or

(3) permit anyone other than the sworn officers and employees of the Department or bureau or agency thereof to examine the individual reports.

(b) The provisions of subsection (a) of this section relating to the confidential treatment of data for particular individuals and establishments, shall not apply to the censuses of governments provided for by subchapter III of chapter 5 of this title, nor to interim current data provided for by subchapter IV of chapter 5 of this title as to the subjects covered by censuses of governments, with respect to any information obtained therefor that is compiled from, or customarily provided in, public records.

#### **§ 10. Mail matter**

The Post Office Department shall transmit free of postage, and by registered mail if necessary, and so marked, all mail matter, of whatever class or weight, relating to any collection of statistics, survey, or census provided for by this title and addressed to the Department of Commerce or to any bureau or agency thereof authorized by the Secretary to make such collection or survey or to take such census, or addressed to any official thereof, and endorsed "Official business", followed by the name of such Department, bureau, or agency, as the case may be.

#### **§ 11. Authorization of appropriations**

There is authorized to be appropriated, out of the Treasury of the United States, such sums as may be necessary to carry out all provisions of this title.

### **SUBCHAPTER II—OFFICERS AND EMPLOYEES**

#### **§ 21. Director of the Census; duties**

The Bureau shall be headed by a Director of the Census, appointed by the President, by and with the advice and consent of the Senate. The Director shall perform such duties as may be imposed upon him by law, regulations, or orders of the Secretary.

#### **§ 22. Qualifications of permanent personnel**

All permanent officers and employees of the Bureau shall be citizens of the United States, and shall be appointed and compensated under the Civil Service laws and the Classification Act of 1949, as amended or supplemented.

#### **§ 23. Additional officers and employees**

(a) The Secretary may appoint, without regard to the Classification Act of 1949, at rates of compensation to be fixed by him, as many temporary employees in the Departmental Service as may be necessary to meet the requirements of the work provided for in this title. Census employees who are transferred to any such temporary positions shall not lose their permanent Civil Service status by reason of the transfer. The Secretary shall make all such temporary appointments in conformity with the Civil Service laws and rules.

(b) In addition to employees of the Department of Commerce, employees of other departments and independent offices of the Government may, with the consent of the head of the respective department or office, be employed and compensated for field work in connection with the work provided for in this title.

**§ 24. Special agents, supervisors, supervisors' clerks, enumerators, and interpreters; compensation; details**

(a) The Secretary may appoint special agents, supervisors, supervisors' clerks, enumerators, and interpreters on a temporary basis to carry out the provisions of this title. Such appointments shall be made without regard to the Civil Service laws or the Classification Act of 1949. The enlisted men and officers of the armed services may be appointed and compensated for the enumeration of personnel of the armed forces.

63 Stat. 954.  
5 USC 1071 note.

(b) The special agents, supervisors, supervisors' clerks, enumerators, and interpreters appointed under this section shall receive compensation at rates fixed by the Secretary; and the compensation on a piece-price basis may be fixed without limitation as to the amount earned per diem.

(c) The Secretary may authorize the expenditure of necessary sums for travel expenses for attendance at training courses held by the Department of Commerce with respect to any of the work provided for in this title.

**§ 25. Duties of supervisors, enumerators, and other employees**

(a) Each supervisor shall perform the duties imposed upon him by the Secretary in the enforcement of chapter 5 of this title in accordance with the Secretary's orders and instructions.

(b) Each enumerator or other employee detailed to serve as enumerator shall be charged with the collection in his subdivision of the facts and statistics called for on such schedules as the Secretary determines shall be used by him in connection with any census or survey provided for by chapter 5 of this title.

(c) Each enumerator shall visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most competent and trustworthy, or of such individual living out of a family, shall obtain every item of information and all particulars required for any census or survey provided for in chapter 5 of this title. In case no person is found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries, the census employee may obtain the required information as nearly as may be practicable from the families or persons living nearest to such place of abode who may be competent to answer such inquiries.

**CHAPTER 3—COLLECTION AND PUBLICATION  
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- 102. Religion.
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**SUBCHAPTER I—COTTON****§ 41. Collection and publication**

The Secretary shall collect and publish statistics concerning the—

- (1) amount of cotton ginned;
- (2) quantity of raw cotton consumed in manufacturing establishments of every character;
- (3) quantity of baled cotton on hand;
- (4) number of active consuming cotton spindles;
- (5) number of active spindle hours; and
- (6) quantity of cotton imported and exported, with the country of origin and destination.

**§ 42. Contents of reports; number of bales of linter; distribution; publication by Department of Agriculture**

(a) The statistics of the quantity of cotton ginned shall show the quantity ginned from each crop prior to August 1, August 16, September 1, September 16, October 1, October 18, November 1, November 14, December 1, December 13, January 16, and March 1; but the Secretary may limit the canvasses of August 1 and August 16 to those sections of the cotton-growing States in which cotton has been ginned.

(b) The quantity of cotton consumed in manufacturing establishments, the quantity of baled cotton on hand, the number of active consuming cotton spindles, the number of active spindle-hours, and the statistics of cotton imported and exported shall relate to each month, and shall be published as soon as possible after the close of the month.

(c) In collecting and publishing statistics of cotton on hand in warehouses and other storage establishments, and of cotton known as the "carry-over" in the United States, the Secretary shall ascertain and publish as a separate item in the report of cotton statistics the number of bales of linters as distinguished from the number of bales of cotton.

(d) The Secretary shall furnish to the Department of Agriculture, immediately prior to the publication of each report of that Department regarding the cotton crop, the latest available statistics hereinbefore mentioned, and the Department of Agriculture shall publish the same in connection with each of its reports concerning cotton.

**§ 43. Records and reports of cotton ginner**

Every cotton ginner shall keep a record of the county or parish in which each bale of cotton ginned by him is grown and report at the March canvass of each year a segregation of the total number of bales ginned by counties or parishes in which grown.

**§ 44. Foreign cotton statistics**

In addition to the information regarding cotton in the United States provided for in this subchapter, the Secretary shall compile, by correspondence or the use of published reports and documents, any available information concerning the production, consumption, and stocks of cotton in foreign countries, and the number of cotton-consuming spindles in such countries. Each report published by the Department of Commerce or agency or bureau thereof regarding cotton shall contain an abstract of the latest available information obtained under the provisions of this section, and the Secretary shall

furnish the same to the Department of Agriculture for publication in connection with the reports of that department concerning cotton in the same manner as in the case of statistics relating to the United States.

#### § 45. Simultaneous publication of cotton reports

The reports of cotton ginned to the dates as of which the Department of Agriculture is also required to issue cotton crop reports shall be issued simultaneously with the cotton crop reports of that department, the two reports to be issued from the same place at 11 o'clock antemeridian on the eighth day following that on which the respective reports relate. When such date of release falls on Sunday, a legal holiday, or other day which pursuant to statute or Executive order is a nonworkday in the Department of Commerce at Washington generally, the reports shall be issued at 11 o'clock antemeridian of the next succeeding workday.

### SUBCHAPTER II—OILSEEDS, NUTS, AND KERNELS; FATS, OILS, AND GREASES

#### § 61. Collection and publication

(a) The Secretary shall collect, collate, and publish monthly statistics concerning—

(1) the quantities of—

(A) cottonseed, soybeans, peanuts, flaxseed, corn germs, copra, sesame seed, babassu nuts and kernels, and other oilseeds, nuts, and kernels received, crushed, and on hand at oil mills;

(B) crude and refined oils, cakes, and meals, and other primary products, by type or kind, of the seeds, nuts, and kernels referred to in clause (A) of this paragraph, manufactured, shipped out, and on hand at oil mills and processing establishments;

(C) crude and refined vegetable oils, by type or kind, used by class of product and held by manufacturers of vegetable shortening, margarine, soap, and other principal products using large quantities of vegetable oils;

(D) crude and refined vegetable oils, by type or kind, held in warehouses and in transit to consuming establishments; and

(2) the quantities, by types or kinds, of—

(A) animal fats and oils and greases produced;

(B) animal fats and oils and greases shipped and held by producers;

(C) animal fats and oils and greases, fish and marine mammal oils used by class of product and held by manufacturers of shortening, margarine, soap, and other principal products which require the use of large quantities of animal fats and oils and greases, fish and marine mammal oils;

(D) animal fats and oils and greases, fish and marine mammal oils held in warehouses, cold storage, and in transit to consuming establishments.

(b) The Secretary shall not be required to collect, more frequently than he deems necessary to provide reliable statistical reports, information from any person who produces, holds, or consumes fats and oils in inconsequential quantities.

**§ 62. Additional statistics**

This subchapter does not restrict or limit the Secretary in the collection and publication, under the general authority of the Secretary, of such statistics on fats and oils or products thereof not specifically required in this subchapter, as he deems to be in the public interest.

**§ 63. Duplicate collection of statistics prohibited; access to available statistics**

Statistics required under Federal law, as of the effective date of this title, to be collected by any other Federal department or agency in a manner comparable both as to form and period of time to the collection of statistics provided for by this subchapter shall not be collected by the Secretary under the authority of this subchapter. Immediately upon his request, the Secretary shall have access to any such statistics and shall include them in the publication required by this subchapter.

**SUBCHAPTER III—MISCELLANEOUS****§ 101. Defective, dependent, and delinquent classes; crime**

(a) The Secretary may collect decennially statistics relating—

- (1) to the defective, dependent, and delinquent classes; and
- (2) to crime, including judicial statistics pertaining thereto.

(b) The statistics authorized by subsection (a) of this section shall include information upon the following questions, namely: age, sex, color, nativity, parentage, literacy by race, color, nativity, and parentage, and such other questions relating to such subjects as the Secretary deems proper.

(c) In addition to the decennial collections authorized by subsections (a) and (b) of this section, the Secretary may compile and publish annually statistics relating to crime and to the defective, dependent, and delinquent classes.

**§ 102. Religion**

The Secretary may collect decennially statistics relating to religious bodies.

**§ 103. Designation of reports**

All reports covering any of the statistics collected under the provisions of this subchapter shall be designated as "Special Reports" followed by the name of whatever bureau or agency of the Department of Commerce is designated by the Secretary to collect and compile such statistics.

**CHAPTER 5—CENSUSES****SUBCHAPTER I—MANUFACTURERS, MINERAL INDUSTRIES, AND OTHER BUSINESSES**

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## **SUBCHAPTER I—MANUFACTURES, MINERAL INDUSTRIES, AND OTHER BUSINESSES**

### **§ 131. Collection and publication; five-year periods**

The Secretary shall take, compile, and publish censuses of manufactures, of mineral industries, and of other businesses, including the distributive trades, service establishments, and transportation (exclusive of means of transportation for which statistics are required by law to be filed with, and are compiled and published by, a designated regulatory body), in the year 1954 and every fifth year thereafter, and each such census shall relate to the year immediately preceding the taking thereof: *Provided*, That the censuses of manufactures, of mineral industries, and of other businesses, including the distributive trades and service establishments, directed to be taken in the year 1954 relating to the year 1953, shall be taken instead in the year 1955 relating to year 1954. The censuses provided for in this section shall include the United States and its Territories and such possessions as the Secretary may determine.

### **§ 132. Controlling law; effect on other agencies**

To the extent that the provisions of this subchapter or subchapter IV of this chapter conflict with any other provision of this title or other law, pertaining to the Secretary or the Department of Commerce, the provisions of this title shall control; but nothing in this title shall be deemed to revoke or impair the authority of any other Federal agency with respect to the collection or release of information.

## **SUBCHAPTER II—POPULATION, HOUSING, AGRICULTURE, IRRIGATION, DRAINAGE, AND UNEMPLOYMENT**

### **§ 141. Population, agriculture, irrigation, drainage, and unemployment; territory included**

The Secretary shall, in the year 1960 and every ten years thereafter, take a census of population, agriculture, irrigation, drainage, and



unemployment in each State, the District of Columbia, Alaska, Hawaii, and Puerto Rico. The respective governors of Guam, Samoa, the Virgin Islands, and the Canal Zone shall, in the same year, take censuses of such islands and reservation in accordance with plans prescribed or approved by the Secretary.

**§ 142. Housing; scope of inquiries; territory included; supplementary statistics**

The Secretary shall take a census of housing in each State, the District of Columbia, Hawaii, Puerto Rico, the Virgin Islands, and Alaska, in the year 1960 and every ten years thereafter in conjunction with, at the same time, and as a part of the population inquiry of the decennial census provided for in section 141 of this title in order to provide information concerning the number, characteristics (including utilities and equipment), and geographical distribution of dwelling units in the United States. The Secretary may collect such supplementary statistics (either in advance of or after the taking of such census) as are necessary to the completion of such census.

**§ 143. Decennial census period; completion of reports upon inquiries**

(a) The period of three years beginning the 1st day of January in the year 1960 and every tenth year thereafter shall be known as the decennial census period, and, except as provided in subsection (b) of this section, the reports upon the inquiries provided for in sections 141 and 142 of this title shall be completed within such period.

(b) The tabulation of total population by States as required for the apportionment of Representatives shall be completed within eight months from the beginning of the enumeration and reported by the Secretary to the President of the United States.

**§ 144. Restriction on inquiries**

The censuses provided for by sections 141 and 142 of this title shall be restricted to inquiries relating to population, to agriculture, to irrigation, to drainage, to unemployment, and to housing.

**§ 145. Commencement of inquiries as to population, agriculture, and housing; time for completion**

(a) The census of the population and of agriculture and of housing required by sections 141 and 142 of this title shall be taken as of the 1st day of April, and each enumerator shall commence the enumeration of his district on the day following thereafter unless the Secretary changes the date of commencement of the enumeration in such district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work; but in any event, except as provided in subsection (b) of this section, each enumerator shall prepare the returns hereinbefore required to be made and forward the same to the supervisor of his district within thirty days from the commencement of the enumeration of his district.

(b) In any city having two thousand five hundred inhabitants or more under the preceding census the enumeration of the population shall be completed within two weeks from the commencement thereof.

**§ 146. Mid-decade censuses of agriculture; exclusion of certain areas; preliminary statistics**

(a) The Secretary shall take, beginning in the month of October, 1954, and in the same month of every tenth year thereafter, a census

of agriculture. The census provided for by this section shall include each State, but, except as provided in subsection (b) of this section, shall not include the District of Columbia, Alaska, Hawaii, Puerto Rico, or such other areas or territory over which the United States exercises sovereignty or jurisdiction.

(b) As to the areas excluded from the census provided for in subsection (a) of this section, the data available from various Government sources shall be included as an appendix to the report of such census.

(c) The Secretary may collect such preliminary or supplementary statistics, either in advance of or after the taking of each census provided for in subsection (a) of this section, as are necessary to the initiation, taking, or completion thereof.

### **SUBCHAPTER III—GOVERNMENTS**

#### **§ 161. Quinquennial censuses; inclusion of certain data**

The Secretary shall take, compile, and publish for the year 1957 and for every fifth year thereafter a census of governments. Each such census shall include, but shall not be limited to, data on taxes and tax valuations, governmental receipts, expenditures, indebtedness, and employees of States, counties, cities, and other governmental units in the United States and in such of its Territories and possessions as may be determined by the Secretary.

#### **§ 162. Acquisition of reports and material from governmental units, private persons, and agencies**

The Secretary may acquire by purchase or otherwise from States, counties, cities, or other units of government, or their instrumentalities, or from private persons and agencies such copies of records, reports and other material as may be required for the efficient and economical conduct of the census of governments provided for in this subchapter.

#### **§ 163. Authority of other agencies**

This subchapter does not revoke or impair the authority of any other Federal agency with respect to the collection or release of information.

### **SUBCHAPTER IV—INTERIM CURRENT DATA**

#### **§ 181. Surveys**

The Secretary may make surveys deemed necessary to furnish annual and other interim current data on the subjects covered by the censuses provided for in this title.

## **CHAPTER 7—OFFENSES AND PENALTIES**

### **SUBCHAPTER I—OFFICERS AND EMPLOYEES**

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## SUBCHAPTER II—OTHER PERSONS

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- 225. Applicability of penal provisions in certain cases.

## SUBCHAPTER III—PROCEDURE

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## SUBCHAPTER I—OFFICERS AND EMPLOYEES

### § 211. Receiving or securing compensation for appointment of employees

Whoever—

- (1) receives or secures to himself any fee, reward, or compensation as a consideration for the appointment of any person as supervisor, enumerator, clerk, or other officer or employee of the Department of Commerce or bureau or agency thereof, referred to in subchapter II of chapter 1 of this title; or
  - (2) in any way receives or secures to himself any part of the compensation paid to any person so appointed—
- shall be fined not more than \$3,000 or imprisoned not more than five years, or both.

### § 212. Refusal or neglect of employees to perform duties

Whoever, being an employee referred to in subchapter II of chapter 1 of this title, and having taken and subscribed the oath of office, neglects or refuses, without justifiable cause, to perform the duties enjoined on such employee by this title, shall be fined not more than \$500.

### § 213. False statements, certificates, and information

(a) Whoever, being an officer or employee referred to in subchapter II of chapter 1 of this title, willfully and knowingly swears or affirms falsely as to the truth of any statement required to be made or subscribed by him under oath by or under authority of this title, shall be guilty of perjury, and shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(b) Whoever, being an officer or employee referred to in subchapter II of chapter 1 of this title—

- (1) willfully and knowingly makes a false certificate or fictitious return; or
  - (2) knowingly or willfully furnishes or causes to be furnished, or, having been such an officer or employee, knowingly or willfully furnished or caused to be furnished, directly or indirectly, to the Secretary or to any other officer or employee of the Department of Commerce or bureau or agency thereof, any false statement or false information with reference to any inquiry for which he was authorized and required to collect information provided for in this title—
- shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

**§ 214. Wrongful disclosure of information**

Whoever, being an employee referred to in subchapter II of chapter 1 of this title, having taken and subscribed the oath of office, publishes or communicates, without the written authority of the Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof, any information coming into his possession by reason of his employment under the provisions of this title, shall be fined not more than \$1,000 or imprisoned not more than two years, or both.

**SUBCHAPTER II—OTHER PERSONS****§ 221. Refusal or neglect to answer questions; false answers**

(a) Whoever, being over eighteen years of age, refuses or willfully neglects, when requested by the Secretary, or by any other authorized officer or employee of the Department of Commerce or bureau or agency thereof acting under the instructions of the Secretary or authorized officer, to answer, to the best of his knowledge, any of the questions on any schedule submitted to him in connection with any census or survey provided for by subchapters I, II, and IV of chapter 5 of this title, applying to himself or to the family to which he belongs or is related, or to the farm or farms of which he or his family is the occupant, shall be fined not more than \$100 or imprisoned not more than sixty days, or both.

(b) Whoever, when answering questions described in subsection (a) of this section, and under the conditions or circumstances described in such subsection, willfully gives any answer that is false, shall be fined not more than \$500 or imprisoned not more than one year, or both.

**§ 222. Giving suggestions or information with intent to cause inaccurate enumeration of population**

Whoever, either directly or indirectly, offers or renders to any officer or employee of the Department of Commerce or bureau or agency thereof engaged in making an enumeration of population under subchapter II or IV of chapter 5 of this title, any suggestion, advice, information or assistance of any kind, with the intent or purpose of causing an inaccurate enumeration of population to be made, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

**§ 223. Refusal, by owners, proprietors, etc., to assist census employees**

Whoever, being the owner, proprietor, manager, superintendent, or agent of any hotel, apartment house, boarding or lodging house, tenement, or other building, refuses or willfully neglects, when requested by the Secretary or by any other officer or employee of the Department of Commerce or bureau or agency thereof, acting under the instructions of the Secretary, to furnish the names of the occupants of such premises, or to give free ingress thereto and egress therefrom to any duly accredited representative of such Department or bureau or agency thereof, so as to permit the collection of statistics with respect to any census provided for in subchapters I and II of chapter 5 of this title, or any survey authorized by subchapter IV of such chapter in so far as such survey relates to any of the subjects for which



censuses are provided by such subchapters I and II, including, when relevant to the census or survey being taken or made, the proper and correct enumeration of all persons having their usual place of abode in such premises, shall be fined not more than \$500.

**§ 224. Failure to answer questions affecting companies, businesses, religious bodies, and other organizations; false answers**

Whoever, being the owner, official, agent, person in charge, or assistant to the person in charge, of any company, business, institution, establishment, religious body, or organization of any nature whatsoever, neglects or refuses, when requested by the Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof, whether such request be made by registered mail, by telegraph, by visiting representative, or by one or more of these methods, to answer completely and correctly to the best of his knowledge all questions relating to his company, business, institution, establishment, religious body, or other organization, or to records or statistics in his official custody, contained on any census or other schedule prepared and submitted to him under the authority of this title, shall be fined not more than \$500 or imprisoned not more than sixty days, or both; and if he willfully gives a false answer to any such question, he shall be fined not more than \$10,000 or imprisoned not more than one year, or both.

**§ 225. Applicability of penal provisions in certain cases**

(a) In connection with any survey conducted by the Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof pursuant to subchapter IV of chapter 5 of this title, the provisions of sections 221, 222, 223 and 224 of this title shall apply—

(1) with respect to the answering of questions and furnishing of information, only to such inquiries as are within the scope of the schedules and of the type and character heretofore used in connection with the taking of complete censuses under subchapters I and II of chapter 5 of this title, or in connection with any censuses hereafter taken pursuant to such subchapters;

(2) only after publication of a determination with reasons therefor certified by the Secretary, or by some other authorized officer or employee of the Department of Commerce or bureau or agency thereof with the approval of the Secretary, that the information called for is needed to aid or permit the efficient performance of essential governmental functions or services, or has significant application to the needs of the public, business, or industry and is not publicly available from nongovernmental or other governmental sources;

(3) in the case of any new survey, only after public notice, given by the Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof at least thirty days in advance of requesting a return, that such survey is under consideration.

(b) The provisions for imprisonment provided by sections 221, 222 and 224 of this title shall not apply in connection with any survey conducted pursuant to subchapter II of chapter 3 of this title, or to subchapter IV of chapter 5 of this title.

(c) The provisions of sections 221, 222, 223, and 224 of this title shall not apply to any censuses or surveys of governments provided for by subchapters III and IV of chapter 5 of this title, nor to other surveys provided for by subchapter IV of such chapter which are taken more frequently than annually.

(d) Where the doctrine, teaching, or discipline of any religious denomination or church prohibits the disclosure of information relative to membership, a refusal, in such circumstances, to furnish such information shall not be an offense under this chapter.

### SUBCHAPTER III—PROCEDURE

#### § 241. Evidence

When any request for information, made by the Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof, is made by registered mail or telegram as authorized by section 224 of this title, the return receipt therefor or other written receipt thereof shall be prima facie evidence of an official request in any prosecution under such section.

SEC. 2. Title III of the Public Health Service Act (58 Stat. 682), as amended, is amended by inserting, immediately following section 312 thereof (42 U. S. C., sec. 244), and preceding section 313 thereof (42 U. S. C., sec. 245), the following new section:

Public Health  
Service.  
Birth and death  
statistics.

"SEC. 312a. There shall be a collection of the statistics of the births and deaths in registration areas annually, the data for which shall be obtained only from and restricted to such registration records of such States and municipalities as in the discretion of the Secretary of Health, Education, and Welfare possess records affording satisfactory data in necessary detail, the compensation for the transcription of which shall not exceed 4 cents for each birth or death reported; or a minimum compensation of \$25 may be allowed in the discretion of the Secretary of Health, Education, and Welfare, in States or cities registering less than five hundred deaths or five hundred births during the preceding year."

SEC. 3. Whenever reference is made in any other law or in any regulation or order to the Census Office, such reference shall be held and considered to mean the Bureau of the Census referred to in section 2 of Title 13, United States Code, as set out in section 1 of this Act. This section shall not be construed as affecting historical references to the Census Office which could have no present or future application to the Bureau of the Census.

References to  
Census Office.

SEC. 4. If any part of Title 13, United States Code, as set in section 1 of this Act, is held invalid, the remainder of such title shall not be affected thereby.

Separability.

SEC. 5. No inference of a legislative construction is to be drawn by reason of the chapter in Title 13, United States Code, as set out in section 1 of this Act, in which any section is placed, nor by reason of the captions or catchlines used in such title.

Legislative con-  
struction.

SEC. 6. The provisions of this Act shall take effect on January 1, 1955.

Effective date.

SEC. 7. The sections of the Acts, and the Acts or parts of Acts, enumerated in the following schedule, are hereby repealed. Any rights or liabilities now existing under such statutes or parts thereof, and any proceedings instituted under, or growing out of, any of such statutes or parts thereof, shall not be affected by this repeal.

Repeals.

Date	Statutes at large					U. S. Code	
	Chapter	Title	Section	Volume	Page	Title	Section
1899—Mar. 3	419		31	30	1021		
1902—Mar. 6	139		1	32	51	13	1
Do.	139		2	32	51		
Do.	139		3	32	51	13	2
Do.	139		4	32	51		
Do.	139		5	32	51, 52	13	5
Do.	139		6	32	52		
Do.	139		7	32	52		
Do.	139		8	32	52	13	3, 111
Do.	139		9	32	52, 53	13	101
Do.	139		10	32	53	13	77, 112
Do.	139		11 (part)	32	53	13	6
Do.	139		1 (part)	32	138	44	4
Apr. 28	594			32	767 (768)	13	281
1903—Jan. 12	90 (part)			39	110	13	
1916—May 10	117		1 (part)	39	110	13	7, 69
Aug. 7	274		1, 2, 3, 4	39	436, 437	13	81-84
Do.	274		5			13	85
Do.	274		6			13	86
1924—Apr. 2	80		1, 2, 3, 4, 5, 6	43	31, 32	13	71-76
1927—Feb. 24	189	III (part)		44	1205	13	41a
1929—Jan. 25	102	III (part)		45	1119	13	9
June 18	28		1, 2	46	21	13	201, 202
Do.	28		3	46	21, 22	13	111, 203
Do.	28		4, 5, 6, 7, 8, 9, 10, 11, 12, 13	46	22-25	13	204-213
Do.	28		14	46	25	13, 39	214, 337
Do.	28		15	46	25	13	215
Do.	28		16	46	25	13	216
Do.	28		15, 16, 17, 18, 19	46	25, 26	13	215-219
Do.	28		21	46	26	13	1-8, 71, 72, 73-77, 101, 112
1930—June 27	639			46	821	13	72a
1931—Mar. 4	490			46	1517	13	113
1939—Aug. 11	688		1, 2, 3	53	1406	13	106, 106 note, 107
1945—May 21	129	III	301 (part)	59	188	13	220
1946—July 5	541	III	301 (part)	60	466	13	220
Do.	541	III	301 (part)	60	466	13	114
1948—June 19	502		1, 2, 3	62	478, 479	13	121-123
1949—July 15	338	VI	607	63	441	42	1442
1950—Sept. 7	910		1, 2, 3	64	784, 785	13	251-253
1954—June 18	315			68	258	13	131

<sup>1</sup> As amended by Acts June 7, 1906, ch. 3048, 34 Stat. 218, 219; June 25, 1947, ch. 124, 61 Stat. 163; Sept. 7, 1950, ch. 910, § 4, 64 Stat. 785.

<sup>2</sup> As amended by Act Apr. 27, 1904, ch. 1626, 33 Stat. 362.

<sup>3</sup> All provisions not heretofore repealed by Act July 2, 1909, ch. 2, § 33, 36 Stat. 10.

<sup>4</sup> All following the words "Public Printer" in such section, and preceding the period at the end thereof.

<sup>5</sup> The first proviso in the fourth full paragraph on this page.

<sup>6</sup> On page 768, all following "Representatives" in such Act, and preceding the period at the end thereof.

<sup>7</sup> The first two provisos in the fourth paragraph on this page.

<sup>8</sup> As amended by Act July 25, 1947, ch. 331, 61 Stat. 457, 458.

<sup>9</sup> As added by Act July 25, 1947, ch. 331, 61 Stat. 457 (458).

<sup>10</sup> As added by Act July 25, 1947, ch. 331, 61 Stat. 457 (458).

<sup>11</sup> As amended (secs. 2, 4, 6) by Acts June 14, 1938, ch. 358, 52 Stat. 678; June 28, 1949, ch. 256, §§ 1, 2, 63 Stat. 278.

<sup>12</sup> The second proviso appearing on this page.

<sup>13</sup> The last proviso appearing on this page.

<sup>14</sup> All provisions of this section, as amended by Act July 6, 1949, ch. 298, §§ 1, 2, 63 Stat. 406, except the second proviso in the second paragraph thereof, appearing on page 21 of Vol. 46, Statutes at Large.

<sup>15</sup> As amended by Act June 25, 1948, ch. 645, § 7, 62 Stat. 860.

<sup>16</sup> As amended by Act July 16, 1952, ch. 912, 66 Stat. 736, 737.

<sup>17</sup> First sentence only.

<sup>18</sup> In the fifth full paragraph on this page, the words commencing with "reimbursement for" and ending with "or surveys".

<sup>19</sup> In the first full paragraph on this page, the words commencing with "reimbursement for" and ending with "or surveys".

<sup>20</sup> The first proviso in the first full paragraph on this page.

Approved August 31, 1954.

## Public Law 741

## CHAPTER 1159

### AN ACT

August 31, 1954  
[H. R. 5499]

To provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho.

Michaud Flats  
project, Idaho.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to construct, maintain, and operate the